

UNITED STATES DECLARATION &amp; POWER OF ATTORNEY FF39067/06

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

<b>ATTORNEY DOCKET NO.</b> 0641-0281 PUS1
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PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING:

### COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title: **COMPOSITIONS AND METHODS FOR DELIVERY OF BIOLOGICALLY ACTIVE AGENTS**

the specifications of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Fill in Appropriate  
Information -  
For Use  
Without  
Specification  
Attached:

the specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_;  
and amended on \_\_\_\_\_ (if applicable); and/or  
the specification was filed on \_\_\_\_\_ as PCT  
International Application Number \_\_\_\_\_; and was  
amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority  
Information:  
(if appropriate)

**Prior Foreign Application(s)**

<u>2003904719</u> (Number)	_____ (Country)	<u>September 1, 2003</u> (Month / Day / Year Filed)
<u>2003904717</u> (Number)	_____ (Country)	<u>September 1, 2003</u> (Month / Day / Year Filed)
_____ (Number)	_____ (Country)	_____ (Month / Day / Year Filed)
_____ (Number)	_____ (Country)	_____ (Month / Day / Year Filed)

**Priority Claimed**

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

Insert Provisional  
Application(s):  
(if any)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed more than 12 months (6 months for designs) Prior to the Filing Date of this Application:

Insert Requested  
Information:  
(if appropriate)

Country	Application Number	Date of Filing (Month / Day / Year)
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.  
Application(s):  
(if any)

<u>PCT/AU2004/001181</u> (Application Number)	<u>September 1, 2004</u> (Filing Date)	<u>pending</u> (Status - patented, pending, abandoned)
_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

I hereby appoint the practitioners at **CUSTOMER NO. 02292** as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP** or **CUSTOMER NO. 02292**

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Address

Full Name of Second  
Inventor, if any:

see above

Full Name of Third  
Inventor, if any

see above

Full Name of Fourth  
Inventor, if any

see above

Full Name of Fifth  
Inventor, if any

see above

GIVEN NAME SHUI-MEI	FAMILY NAME KHOO	INVENTOR'S SIGNATURE <i>SKhoo</i>	DATE* 28 April 2006
Residence (City, State & Country) Prahran, Victoria, Australia Ashwood 8Khuo 28/4/06		CITIZENSHIP Malaysian	
MAILING ADDRESS (Complete Street Address including City, State & Country) 6/2 Irving Avenue, Prahran, Victoria 3181, Australia 3 Silver Ash Avenue, Ashwood, Victoria 3147 8Khuo 28/4/06			
GIVEN NAME BENJAMIN JAMES	FAMILY NAME BOYD	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country) Warrandyte, Victoria, Australia		CITIZENSHIP Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country) 27 Melbourne Hill Road, Warrandyte, Victoria 3113, Australia			
GIVEN NAME DARRYL VANSTONE	FAMILY NAME WHITTAKER	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country) Vermont, Victoria, Australia		CITIZENSHIP South African	
MAILING ADDRESS (Complete Street Address including City, State & Country) 9 Sarah Court, Vermont, Victoria 3123, Australia			
GIVEN NAME GREGORY ANDREW	FAMILY NAME DAVEY	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country) Burwood, Victoria, Australia		CITIZENSHIP Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country) 13 McCubbin Street, Burwood, Victoria 3125, Australia			
GIVEN NAME CALUM JOHN	FAMILY NAME DRUMMOND	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country) Balmain, New South Wales, Australia		CITIZENSHIP Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country) 7 Jacques Street, Balmain, New South Wales 2041, Australia			

\* DATE OF SIGNATURE

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Inventor, if any:

see above

Full Name of Third  
Inventor, if any

see above

Full Name of Fourth  
Inventor, if any

see above

Full Name of Fifth  
Inventor, if any

see above

GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
SHUI-MEI	KHOO		
Residence (City, State & Country)		CITIZENSHIP	
Pahran, Victoria, Australia		Malaysian	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
6/2 Irving Avenue, Pahran, Victoria 3181, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
BENJAMIN JAMES	BOYD	Ben Boyd	26/4/06
Residence (City, State & Country)		CITIZENSHIP	
Warrandyte, Victoria, Australia		Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
27 Melbourne Hill Road, Warrandyte, Victoria 3113, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
DARRYL VANSTONE	WHITTAKER		
Residence (City, State & Country)		CITIZENSHIP	
Vermont, Victoria, Australia		South African	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
9 Sarah Court, Vermont, Victoria 3123, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
GREGORY ANDREW	DAVEY		
Residence (City, State & Country)		CITIZENSHIP	
Burwood, Victoria, Australia		Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
13 McCubbin Street, Burwood, Victoria 3125, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
CALUM JOHN	DRUMMOND		
Residence (City, State & Country)		CITIZENSHIP	
Balmain, New South Wales, Australia		Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
7 Jacques Street, Balmain, New South Wales 2041, Australia			

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Inventor, if any

see above

Full Name of Fourth  
Inventor, if any

see above

Full Name of Fifth  
Inventor, if any

see above

GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
SHUI-MEI	KHOO		
Residence (City, State & Country)		CITIZENSHIP	
Prahlan, Victoria, Australia		Malaysian	
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6/2 Irving Avenue, Prahlan, Victoria 3181, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
BENJAMIN JAMES	BOYD		
Residence (City, State & Country)		CITIZENSHIP	
Warrandyte, Victoria, Australia		Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
27 Melbourne Hill Road, Warrandyte, Victoria 3113, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
DARRYL VANSTONE	WHITTAKER	<i>[Signature]</i>	
Residence (City, State & Country)		CITIZENSHIP	
Vermont, Victoria, Australia		South African / AUSTRALIAN	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
9 Sarah Court, Vermont, Victoria 3123, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
GREGORY ANDREW	DAVEY		
Residence (City, State & Country)		CITIZENSHIP	
Burwood, Victoria, Australia		Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
13 McCubbin Street, Burwood, Victoria 3125, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
CALUM JOHN	DRUMMOND		
Residence (City, State & Country)		CITIZENSHIP	
Balmain, New South Wales, Australia		Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
7 Jacques Street, Balmain, New South Wales 2041, Australia			

*[Signature]*  
25/7/06

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Inventor, if any

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SHUI-MEI	KHOO		
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Pahran, Victoria, Australia		Malaysian	
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
BENJAMIN JAMES	BOYD		
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Vermont, Victoria, Australia		South African	
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9 Sarah Court, Vermont, Victoria 3123, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
GREGORY ANDREW	DAVEY	<i>Gm Davey</i>	3 <sup>rd</sup> May 2006
Residence (City, State & Country)		CITIZENSHIP	
Burwood, Victoria, Australia		Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country)			
13 McCubbin Street, Burwood, Victoria 3125, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
CALUM JOHN	DRUMMOND		
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see above

Full Name of Fifth  
Inventor, if any

see above

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SHUI-MEI	KHOO		
Residence (City, State & Country)		CITIZENSHIP	
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13 McCubbin Street, Burwood, Victoria 3125, Australia			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
CALUM JOHN	DRUMMOND	<i>C. Drummond</i>	07 JULY 2006
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Inventor, if any

see above

Full Name of  
Inventor, if any

see above

Page 2 of 3  
(Revised 01/02)

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see above

Full Name of  
Inventor, if any

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Page 2 of 3  
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
RUSSELL JOHN	TAIT	<i>Russell Tait</i>	26/4/06
Residence (City, State & Country)		CITIZENSHIP	
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\* DATE OF SIGNATURE

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